SASKATCHEWAN INFORMATION AND PRIVACY COMMISSIONER

BUSINESS PLAN

2006 -- 2009

Accountability Statement

The Office of the Saskatchewan Information and Privacy Commissioner (OIPC) is accountable to the Legislative Assembly of Saskatchewan and to the people of the province of Saskatchewan.

This Business Plan for the three years commencing December 1, 2006 was prepared under my direction. This Business Plan will guide and shape our activities and internal organization during that same period.

This Business Plan will constitute the basis of our budget submissions to the Board of Internal Economy and the Legislative Assembly of Saskatchewan for the next three years.

Since the mandate of this office is very broad and in part reactive to issues that may arise and matters initiated by citizens, this Business Plan may have to be modified from time to time to accommodate those appropriate activities. Indeed, this plan reflects revisions to our original Business Plan for the period 2005-2008. These revisions reflect lessons learned from our first three years experience with a full-time Commissioner, progress achieved in a number of areas, different needs identified and those resources made available to the OIPC. Subject to that caution and given the appropriate resources, I am committed to achieving the planned results laid out in this Business Plan.

R. Gary Dickson, Q.C.
Saskatchewan Information and Privacy Commissioner

The Office of the Saskatchewan Information and Privacy Commissioner

This office has been created pursuant to Part VI of *The Freedom of Information and Protection of Privacy Act* that came into force in 1992. The office oversees three different provincial statutes, namely:

The Freedom of Information and Protection of Privacy Act (FOIP)
The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)
The Health Information Protection Act (HIPA).

The mandate includes the following:

- Review a decision of a head in response to an access request, a decision of a head to extend the time to respond to an access request, or a decision of a head with respect to a third party claim;
- Review a failure of a head to respond to an application for access within the required time;
- Review a failure or refusal of a head to make a requested correction of personal information;
- From time to time, carry out investigations with respect to personal information in the possession or under the control of government institutions or local authorities to ensure compliance with Part IV of FOIP and Part IV of LA FOIP;
- Comment on the implications for protection of personal health information of any aspect of the collection, storage, use or transfer of personal health information;
- After hearing the head or trustee, recommend that a government institution or trustee:
    - cease or modify a specified practice of collecting, using or disclosing information that contravenes FOIP and HIPA; and
    - destroy collections of personal information that is collected in contravention of FOIP and HIPA;
- In appropriate circumstances, authorize the collection of personal information in a manner other than directly from the individual to whom it relates;
- Conduct public education programs and provide information concerning FOIP and HIPA;
- Offer comment on the implications for privacy protection of proposed legislative schemes or government programs or proposed programs of local authorities;
- Offer comment on the implications for personal health information of proposed legislative schemes or programs of trustees;
- Engage in or commission research into matters affecting the carrying out of the purposes of FOIP and HIPA; and
- Receive representations concerning the operation of FOIP and HIPA.

Refocusing After First Three Years

November 1, 2006 marked the third anniversary of our office with a full-time Commissioner. The initial priority identified by this office was the need to build capacity in our office and to build awareness of privacy and access requirements and best practices both within the public service and within the larger community. Approximately 60% of this office's resources have been focused on the awareness raising campaign. As of January 11, 2007, this included:

- Delivering more than 475 presentations on access and privacy in 28 different Saskatchewan communities to diverse audiences;
- Creating and updating of our website, www.oipc.sk.ca, that attracts approximately 5,400 visits per month and more than 23,000 hits per month;
- Publication of 3 different brochures (*Contractor's Guide to Privacy and Access in Saskatchewan, Your Right of Privacy, Your Privacy and Access to Information Rights in Saskatchewan*);
- Issuing 37 issues of our e-newsletter, the Saskatchewan "FOIP FOLIO";
- Supporting the creation and ongoing operation of the Canadian Bar Association (Saskatchewan) Privacy and Access Law Section in 2005;
- Hosting a number of international access and privacy experts and arranging for opportunities for them to speak to Saskatchewan audiences;
- Supporting the celebration of the 'Right to Know' Week in Saskatchewan and supporting the Saskatchewan 'Right to Know' Committee;
- Participating in numerous meetings with senior managers, FOIP Coordinators and Privacy Officers in public bodies; and
- Fielding more than 5,000 requests for information from and providing summary advice to citizens and public bodies.

Approximately 40% of our resources for the first three years have been focused on dealing with reviews of access decisions by public bodies and privacy complaints as well as providing advice and commentary to public bodies and health information trustees on new programs and proposed legislation. This included:

- Closing 262 'review of access decisions' and 'breach of privacy complaint' files;

- Publishing on our website, www.oipc.sk.ca:
  - Review Reports:
    - 19 FOIP
    - 1 LA FOIP
    - 3 HIPA
  - Investigation Reports:
    - 1 FOIP
    - 1 LA FOIP
    - 2 HIPA
- Providing detailed advice and commentary to public bodies and trustees in more than 375 files/circumstances.

As we have reported to the Board of Internal Economy in both 2004-2005 and 2005-2006, the growth of our office and particularly the investigative capacity has not kept pace with the increased workload. As a consequence, in some important areas, our ability to provide the services we are mandated to provide to citizens and public bodies alike has been seriously compromised.

In the last three years new developments in the Saskatchewan Government include the following:

- creation of the new Access and Privacy Branch within Saskatchewan Justice;
- development of FOIP/HIPA training modules; and
- new HIPA information produced by and available on Saskatchewan Health's website.

As a result of new initiatives to promote awareness and compliance with these laws it is now appropriate to reduce the time spent on education and direct additional resources to addressing formal access review requests and privacy complaints and increase resources for providing advice and commentary to public bodies. By the end of 2006-2007 this office should be allocating approximately 60% of its resources to investigating complaints and providing commentary and approximately 40% of its resources to general education.

This change in focus needs to be reflected in our long-term plan for the OIPC. As noted with the publication of our initial three year plan (2005-2008), we have anticipated from the outset that revision to our rolling three year plan would be required as circumstances, needs and capacity changed. Our intention is to publish this revised Business Plan on our website to ensure that these plans are as transparent as possible to the people of Saskatchewan.

Our Vision

Saskatchewan government institutions and local authorities operating in a fashion that is as transparent as possible and with the greatest sensitivity to the privacy of the people of Saskatchewan, all in accordance with the provisions of the applicable legislation.

Saskatchewan health information trustees operating in a fashion that fully respects the privacy rights of the people of Saskatchewan guaranteed by HIPA and the *Canadian Charter of Rights and Freedoms*[1].

Our Mission

To ensure that the residents of Saskatchewan enjoy the full measure of the information rights (access to information and privacy) guaranteed by the laws of Saskatchewan.

[1] *Canadian Charter of Rights and Freedoms*, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (U.K.), 1982, c. 11

Our Core Businesses

Core Business 1: Reviews of decisions on access requests

Goal 1	*Reduce time to complete reviews*
Goal 2	*Publish a body of review reports and recommendations*
Goal 3	*Increase awareness on the part of government institutions, local authorities and health information trustees of statutory requirements*

Core Business 2: Reviews of breach of privacy complaints

Goal 4	*Reduce time to complete investigations*
Goal 5	*Publish a body of investigation reports*
Goal 6	*Increase awareness on the part of government institutions, local authorities and health information trustees of statutory requirements*

Core Business 3: Trustee/Government Institution/ Local Authority Compliance

Goal 7	*Improve overall compliance by government institutions, local authorities and health information trustees with respect to FOIP, LA FOIP and HIPA*
Goal 8	*Publish aids and tools that will assist public bodies in statutory compliance efforts*

Our Core Businesses

Core Business 4: Clarifying the Access and Privacy Regime In Saskatchewan

Goal 9	*Provide advice to the Legislative Assembly on the consolidation and amendment of FOIP and LA FOIP*
Goal 10	*Provide advice to provincial government institutions, local authorities and trustees on access and privacy governance*

Core Business 5: Public Education

Goal 11	*Undertake public education initiatives throughout the province with a wide variety of organizations*
Goal 12	*Support Saskatchewan 'Right to Know' Committee activities and projects*

Significant Opportunities and Challenges

Electronic Health Records

A good deal of public resources are committed to the development of an electronic health record (EHR) for every citizen of this province. This includes funding from Canada Health Infoway as well as funding through the budget for Saskatchewan Health. This development is consistent with key recommendations from the Fyke Commission Report[2] and the Romanow Report[3]. It has also been a major commitment of the Saskatchewan Government since at least the Throne Speech of March 9, 1998 and the early development of Saskatchewan Health Information Network (SHIN)[4]. Various current projects in Saskatchewan constitute the building blocks that will lead to the creation of the EHR. There are serious privacy and confidentiality implications inherent in this project. To be able to effectively audit and monitor these developments requires considerable time and expertise. Our office has been challenged to be able to consult with the architects and builders of the EHR and to provide advice and commentary drawing on our particular expertise. As the pace of EHR development quickens (Saskatchewan already has five projects either implemented or in development[5]), we need additional capacity to focus on providing timely advice in this early development stage. Failure to do so may mean the EHR and the large expenditures it will entail ultimately fail to fully comply with privacy and confidentiality requirements and the applicable legislation. Failure also may mean that citizens will not have the requisite degree of confidence in their primary providers to protect their sensitive personal health information and that may compromise the entire healthcare delivery system in Saskatchewan.

HIPA Regulations

The government published draft regulations under HIPA in August, 2004. We responded by publishing our *Report on the Draft Health Information Protection Act Regulations* on our website, www.oipc.sk.ca. To date, only a small portion of the anticipated HIPA Regulation 'package' has been proclaimed.

There has been and will continue to be a role for our independent office in discussions with Saskatchewan Health and individuals and organizations as those regulations continue to be developed to ensure both transparency to the Saskatchewan public and adequate privacy protection.

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[2] Commissioner Kenneth Fyke, *Caring for Medicare: Sustaining a Quality System*, (Government of Saskatchewan, April 2001)

[3] Roy J. Romanow, *Final Report: Building on Values: The Future of Health Care in Canada* (Ottawa: National Library of Canada, 2002); available at http://www.hc-sc.gc.ca/english/care/romanow/hcc0086.html

[4] Saskatchewan Health, *History of the Health Information Network*; available at www.health.gov.sk.ca/ph_hisc_history.html

[5] Canada Health Infoway, *Infoway Program Update Summary*, (2006) 4 EHRnews@Infoway 3; available at http://www.infoway-inforoute.ca/Admin/Upload/Dev/Document/EHRNews_Summer%2006_EN.pdf

Shared Services

The public sector in Saskatchewan is exploring a number of initiatives that involve different government institutions and local authorities working collaboratively to address significant delivery of service issues. School^{Plus} has existed for many years in this province. We have learned of other initiatives involving Saskatchewan Community Resources, Regional Health Authorities and Saskatchewan Finance which call for increased disclosure of personal information. Given the design of FOIP and LA FOIP and the emphasis on accountability at the point of each government institution or local authority, and given the crucial need for clear and focused responsibility for compliance with FOIP and LA FOIP, significant work is required to ensure that any shared service initiative is fully compliant with these statutes.

Contracting Out

We anticipate a good deal of work will be required to ensure that the personal information of Saskatchewan residents is protected in cases where government institutions, local authorities or trustees contemplate contracting out information management services. The report of the British Columbia Information and Privacy Commissioner on the implications of the USA Patriot Act[6] and concerns raised by the Privacy Commissioner of Canada[7] have resulted in much closer scrutiny of contracting out opportunities and proposals. Our experience is that there is not adequate protection in many existing contracting out arrangements.

Legislative Amendment

FOIP and LA FOIP remain unchanged since they were first passed by the Legislative Assembly in 1992. In the intervening 14 years many weaknesses and shortcomings in those statutes have been identified. These include the omission of any requirement to protect personal information, no ability for public bodies to deal with frivolous and vexatious requests for access, inadequate provisions to deal with shared services such as School^{Plus}, and the omission of an offence for the destruction of records in order to frustrate an access request. Other suggested changes have been identified in our Annual Reports for 2003-2004, for 2004-2005 and for 2005-2006 available at www.oipc.sk.ca. We view amendment of these statutes as a priority item.

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[6] *USA PATRIOT Act*, (H.R. 3162), 2001 available at http://www.epic.org/privacy/terrorism/hr3162.html

[7] Commissioner Jennifer Stoddart, *Submission of the Office of the Privacy Commissioner of Canada to the Office of the Information and Privacy Commissioner for British Columbia: Transferring Personal Information about Canadians Across Borders — Implications of the USA PATRIOT Act*, (Ottawa: Office of the Privacy Commissioner of Canada, 2004); available at http://www.privcom.gc.ca/media/nr-c/2004/sub_usapa_040818_e.asp

Core Businesses, Goals, Strategies and Measures

Excellence in the OIPC

In all of our core businesses, as we oversee access to information and protection of privacy, we aspire to meet the highest standards of professionalism and competence.

There has been a proliferation in laws addressing privacy and access to information. The challenges presented by rapidly changing information technology and the expansion of surveillance practices are increasing exponentially. It will be important for the OIPC to continue to be current with changes in the information management field in order to assist residents of Saskatchewan in exercising their 'information rights'.

All Portfolio Officers in our office must have either obtained the certificate confirming successful completion of the online Information Access and Protection of Privacy Certificate Program (IAPP) offered by the University of Alberta or be enrolled in the IAPP course when they commence employment with the OIPC. Our senior Portfolio Officer has already successfully completed the five-course program as of December 2006. The other two Portfolio Officers are currently enrolled in the program. One has taken three courses and the other has completed her first course.

We will ensure that our office has a current library of relevant access and privacy texts, periodicals and materials as well as access to relevant on-line resources. We encourage Saskatchewan FOIP Coordinators to attend at our office to make use of these materials at their convenience.

Our staff will maintain regular communication with other Information and Privacy Commissioner offices in Canada and outside of Canada. Our OIPC maintains an 'Internet list serve'[8] to facilitate this enhanced communication. Our staff will attend relevant conferences and will use other learning opportunities to continuously upgrade skills and knowledge.

With the Portfolio Officers hired to date we have increased significantly our capacity and understanding of the delivery of health services and are better equipped to address our HIPA responsibilities.

Before the end of 2006-2007 we expect to have added a fourth Portfolio Officer who will bring considerable experience in terms of computer technology.

[8] The List Serve is a closed information-sharing service that allows investigators in different information and privacy commissioner offices to dialogue and share experiences. This has proven an invaluable resource in OIPC research work.

Core Business 1: Reviews of decisions on access requests

Goal 1 ***Reduce time to complete reviews***

What it means

Information delayed is often information denied. The risk of failing to achieve this goal is likely to include the following:

- Diminished respect for this independent office.
- Increased public cynicism about government transparency.
- Degradation in the citizens' fundamental right to know.
- Lower accountability standards for public bodies.

The OIPC will focus on reducing the time it takes to move a file to either mediation or to the issuance of a report.

Strategies

As of January 1, 2007 we have 141 active files for review or investigations of alleged breach of privacy. This is a 17% increase over the number of active files on January 1, 2006. There is only the Commissioner, and three Portfolio Officers[9] to: gather materials; inspect the file or record; hold discussions with the public body and with the applicant; define the issues; review submissions by both parties; assess and initiate mediation where possible and where mediation is not possible to research the issues and draft the final report.

Our mandate and work require an excellent knowledge of a highly developed and specialized area of law, practices and technologies. Our experience to date is that we have not been able to recruit individuals who have the requisite knowledge of access and privacy laws to immediately function fully as a Portfolio Officer. Consequently, it typically takes 7-12 months to train a new Portfolio Officer to the point that that person can work independently in all phases of our statutory mandate.

[9] One Portfolio Officer commenced employment July 2006, commenced a leave in December 2006 and is not expected to return until approximately December 2007.

Some of the final reports are not issued until more than one year after the original request for review was submitted. To reduce the time for our office to complete its reviews, we will do a number of things:

1. We will hire a fourth Portfolio Officer prior to March 31, 2007.
2. We will make the current three-day a week administrative clerk position a permanent full-time position commencing April 1, 2007.
3. We will hire one additional Portfolio Officer prior to October 1, 2007.
4. We will hire one additional Portfolio Officer and one administrative support staff in 2008-2009.
5. We will attempt to encourage more mediation.[10] We recognize that part of the delay is caused by public bodies that fail to respond in a timely way or that fail to undertake an adequate search for responsive records or that do not submit either the record or their submission in a timely way.

Performance measures

2007-2008

- Complete all pending reviews that are more than two years old.
- By January 1, 2008, 80% of all new reviews to mediation or report stage within five months.

2008-2009

- Resolve the backlog to close 80% of all review or investigation files more than five months old.

[10] Approximately 85% of our reviews and investigations are currently resolved through mediation.

Core Business 1: Reviews of decisions on access requests

Goal 2 ***Publish a body of review reports and recommendations***

What it means

There is important educative value in publishing full reports issued after a formal review by the OIPC. Such reports can provide useful guidance to FOIP Coordinators and heads of government institutions, local authorities, and trustees and hopefully improve compliance with the relevant statutes.

The risk of failing to achieve this goal is likely to include the following:

- Confusion and uncertainty as to the OIPC interpretation of the legislation.
- Inertia and lack of progress in improving public body compliance.
- Differential treatment of citizens seeking access depending on the organization.
- Degradation in the citizens' fundamental right to know.

Strategies

We will post the full text, or as much of the full text as possible, in the circumstances of any particular review to our website, www.oipc.sk.ca. This will include the name of the public body or trustee for reasons of accountability. This will not include the name of the applicant in order to respect the privacy of that individual. We will also develop an index that allows a visitor to the website to readily identify those reports that address specific sections of the applicable legislation.

Performance measures

2006-2007

- Publish at least 8 reports from reviews on the OIPC website.

2007-2008

- Publish at least 10 reports from reviews on the OIPC website.
- Create a section index of all review reports done by the OIPC.

2008-2009

- Publish at least 10 reports from reviews on the OIPC website.

Core Business 1: Reviews of decisions on access requests

Goal 3 ***Increase awareness on the part of government institutions, local authorities and health information trustees of statutory requirements***

What it means

Our office has identified a substantial need for more awareness on the part of staff in public bodies, including government institutions, local authorities and trustees about the requirements of FOIP, LA FOIP and HIPA. A lack of written procedures and formalized training was also identified by the Deloitte Touche Privacy Assessment[11] that preceded the Privacy Framework[12]. This need is much broader than training that has already been undertaken under the auspices of the Privacy Framework. The latter does not address the goal of greater government transparency and is only focused in part on Part IV of FOIP and LA FOIP dealing with privacy. The risk of failing to achieve this goal is likely to include the following:

- Inconsistent treatment of applicants and access requests.
- Failure to meet the standards required by legislation.
- Lower accountability standards for public bodies.

Strategies

We will continue to work with Saskatchewan Justice, Saskatchewan Health, Saskatchewan Government Relations, the Public Service Commission and the Crown Investment Corporation to promote templates and materials for FOIP, LA FOIP and HIPA training. We will also continue to meet with managers and employees in public bodies to explain their statutory obligations and the role of our office.

Performance Measures

2006-2007

- Produce our e-newsletter, the Saskatchewan "FOIP FOLIO", on a monthly basis and convert more subscribers who currently receive a hard copy of the newsletter to receiving the electronic version.

[11] Deloitte & Touche, *Government of Saskatchewan Privacy Assessment*, (Regina: Deloitte & Touche, 2003); available at http://www.gov.sk.ca/service/publications/Privacy_Report.pdf

[12] Government of Saskatchewan, *An Overarching Personal Information Privacy Framework For Executive Government*, available at http://www.gov.sk.ca/newsrel/releases/2003/09/11-648-attachment.pdf

- Host 'Brown-Bag' luncheon workshops on aspects of access and privacy compliance for access and privacy coordinators in government institutions, local authorities and health information trustee organizations.
- Identify partners to co-sponsor a major Saskatchewan conference on access and privacy to highlight best practices and to identify problem areas.

2007-2008

- Host a major conference in Saskatchewan focused on HIPA as well as FOIP and LA FOIP.
- Ensure that 90% of requests for summary advice [13] from government institutions, local authorities and trustees receive a response within 72 hours.
- Host 'Brown-Bag' luncheon workshops on aspects of access and privacy compliance for access and privacy coordinators in government institutions, local authorities and health information trustees.
- Collaborate with appropriate government institutions to develop Frequently Asked Questions for government institutions.
- Collaborate with appropriate government institutions to develop Frequently Asked Questions for local authorities.
- We will continue to work with Saskatchewan Learning, Saskatchewan Health, Saskatchewan Justice and Saskatchewan Government Relations to provide support to their constituent organizations such as schools, municipalities, health regions and health professions, departments, Crown corporations, provincial boards and agencies.

2008-2009

- Ensure that education presentations have been completed for every department, every Crown corporation, every provincial board and agency, every school division, all urban and rural municipalities, every health region and every university and college campus that have requested a presentation.
- Ensure that 90% of requests for summary advice from government institutions, local authorities and trustees receive a response within 72 hours.
- Host 'Brown-Bag' luncheon workshops on aspects of access and privacy compliance for access and privacy coordinators in government institutions, local authorities and health information trustee organizations.

[13] Advice on statutory compliance and best practices that does not require in-depth research

Core Business 2: Review of breach of privacy complaints

Goal 4 ***Reduce time to complete investigations***

What it means

Given the importance that the Saskatchewan government has assigned to privacy protection, it will be necessary to ensure that investigations of privacy breaches are completed without undue delay. The risk of failing to achieve this goal is likely to include the following:

- Diminished respect for this independent office.
- Increased public cynicism about privacy protection.
- Degradation in the citizens' fundamental right of privacy.
- Lack of confidence in public bodies and increased reluctance to allow public bodies to collect, use and disclose personal information.

Strategies

The efforts to expedite privacy investigations should parallel initiatives to reduce the time to complete access reviews. Since privacy protection is an equal objective of FOIP and LA FOIP, this area should receive the same kind of attention described in this plan for access to information. Many of the comments above in the discussion of Core Business 1 apply in this section also.

To reduce the time for our office to complete investigations, we will hire additional staff and train those staff as indicated in Goal 1 above.

Performance Measures

2007-2008

- Complete all pending investigations that are more than 1 year old.
- By January 1, 2008, 60% of all investigations to report stage within five months.

2008-2009

- Resolve the backlog to achieve 70% of all investigations to report stage within five months.

Core Business 2: Review of breach of privacy complaints

Goal 5 ***Publish a body of investigation reports***

What it means

Investigations are usually started in response to a complaint or a particular event that comes to our attention. It is therefore more difficult to predict the volume of privacy complaints than it is to predict access requests. The risk of failing to achieve this goal is likely to include the following:

- Public bodies cannot learn from experiences of others.
- Lack of predictability in interpreting the legislation.

Strategies

We will post the full text or as much of the full text as possible in the circumstances of any particular investigation to our website, www.oipc.sk.ca. This will include the name of the public body or trustee for reasons of accountability. This will not include the name of the complainant to respect the privacy of that individual. We will start to initiate a number of investigations to assess compliance with applicable legislation, if time and resources permit.

Performance Measures

2007-2008

- Publish a report on at least one office-initiated investigation.

2008-2009

- Publish reports on at least two office-initiated investigations.

Core Business 2: Review of breach of privacy complaints

Goal 6 — ***Increase awareness on the part of government institutions, local authorities and health information trustees of statutory requirements***

What it means

See the discussion of Goal 3 above.

Strategies

See the discussion of Goal 3 above. The same strategies would apply here.

Performance Measures

See the discussion of Goal 3 above. The same performance measures would apply here.

Core Business 3: Trustee/Government Institution/ Local Authority Compliance

Goal 7 — ***Improve overall compliance by government institutions, local authorities and health information trustees with respect to FOIP, LA FOIP and HIPA***

What it means

Of fundamental importance is the role of the OIPC in ensuring that government institutions, local authorities and trustees fully comply with the appropriate laws. This is done by reinforcing the accountability that each trustee and each 'head' of a government institution or local authority has to respect the information rights of Saskatchewan residents.

The risk of failing to achieve this goal is likely to include the following:

- Citizens may be denied the full benefit of the information rights to which they are entitled.
- Public bodies will continue to wrestle with problems, gaps and shortcomings in the existing legislation and expend unnecessary energy and resources to no good end.

Strategies

In addition to goals 1 through 6 inclusive, we will achieve this goal by monitoring the actions of government institutions, local authorities and trustees that impact the information rights of Saskatchewan residents, and by undertaking site visits and compliance audits. We will also work to promote training, the development of educational materials and to publish standards and best practices for these organizations.

Performance Measures

2006-2007

- Publicly identify public bodies that unduly delay in responding to applicants or to the OIPC.
- Undertake at least two site visits to trustee facilities.

2007-2008

- We will produce annual 'report cards' on public bodies that serve to highlight their response to access requests.
- Undertake 10 site visits to trustee facilities.
- Undertake 10 site visits to government institutions and local authorities.

2008-2009

- Same as 2007-2008.

Core Business 3: Trustee/Government Institution/ Local Authority Compliance

Goal 8 ***Publish aids and tools that will assist public bodies in statutory compliance efforts***

What it means

The OIPC has identified a need for Saskatchewan-based and Saskatchewan appropriate materials, check-lists and models to assist public bodies to comply with applicable legislation. The risk of failing to achieve this goal is likely to include the following:

- Advice from our office will be provided publicly after programs are commenced or legislation is enacted and revision is much more difficult and more expensive.

Strategies

Our office can provide value by developing, in collaboration with the appropriate public bodies and outside resources, teaching materials, check-lists and models to assist with statutory compliance.

Performance Measures

2006-2007

- Publish advisory material to address areas of concern and confusion among government institutions, local authorities and trustees.

2007-2008

- Publish advisory material to address areas of concern and confusion among government institutions, local authorities and trustees.

2008-2009

- Publish advisory material to address areas of concern and confusion among government institutions, local authorities and trustees.

Core Business 4: Clarifying the Access and Privacy Regime In Saskatchewan

Goal 9 ***Provide advice to the Legislative Assembly on the consolidation and amendment of FOIP and LA FOIP***

What it means

FOIP and LA FOIP are deficient in achieving the purposes of such legislation. There is an urgent need to amend this legislation to ensure that it works properly from the perspective of government institutions and local authorities as well as for the public.

The risk of failing to achieve this goal is likely to include the following:

- Citizens may be denied the full benefit of the information rights to which they are entitled.
- Public bodies will continue to wrestle with problems, gaps and shortcomings in the existing legislation and expend unnecessary energy and resources to no good end.

Strategies

To catalogue the deficiencies in FOIP and LA FOIP and to communicate same to Saskatchewan Justice in particular, and to the Legislative Assembly. To provide assistance and advice to the Legislative Assembly at such time as the legislation is reviewed.

Performance Measures

2006-2007

- To supplement and update the comprehensive list to the Legislative Assembly of the amendments this office believes necessary to achieve the purpose of FOIP and LA FOIP.
- To provide commentary in Annual Report.

2007-2008

- To provide commentary in Annual Report.

2008-2009

- To provide commentary in Annual Report.

Core Business 4: Clarifying the Access and Privacy Regime In Saskatchewan

Goal 10 ***Provide advice to provincial government institutions, local authorities and trustees on access and privacy governance***

What it means

A satisfactory level of statutory compliance with FOIP, LA FOIP and HIPA is unlikely to be achieved without committed leadership within government institutions, local authorities and health information trustees. This requires powerful and unambiguous messages from the most senior leaders in the public sector, a commitment to promoting both privacy and access to information consistent with the purpose of these laws and specific actions to achieve robust compliance.

The risk of failing to achieve this goal is likely to include the following:

- Frustration on the part of public sector workers.
- Failure to achieve statutory compliance.
- Denial of rights to Saskatchewan residents described by the Supreme Court of Canada as "quasi-constitutional".

Strategies

Focus with government institutions, local authorities and health information trustees on organizational enhancements to enable them to achieve full compliance with FOIP, LA FOIP and HIPA. This will entail working with key organizations such as Saskatchewan Justice, Saskatchewan Health, and Saskatchewan Government Relations on ensuring advice is made available to all public sector organizations on the 'access and privacy file'.

Performance Measures

2006-2007

- Encourage public bodies and health information trustees to make stronger commitments, through leadership initiatives, to achieve full statutory compliance

2007-2008

- Same as 2006-2007.

2008-2009

- Same as 2006-2007.

Core Business 5: Public Education

Goal 11 ***Undertake public education initiatives throughout the province with a wide variety of organizations***

What it means

Citizens need to know what information rights they have and how to exercise those rights. Saskatchewan is a large geographic area with many small communities. It will be important to make education opportunities available to Saskatchewan residents regardless of where they live in this province. Information must be made as accessible as possible.

The risk of failing to achieve this goal is likely to include the following:

- Saskatchewan residents will not be aware of their information rights and how to exercise them.

Strategies

We will continue to partner with other organizations as we have done since 2004-2005. This includes such bodies as the Saskatchewan 'Right to Know' Committee, Saskatchewan Institute of Public Policy, the Saskatchewan School Boards Association, Saskatchewan Public Legal Education Association, and the Saskatchewan Legal Education Society Inc. In many cases this involves the partner organizing a session, advertising, booking a facility and our office providing a resource person and handout material.

Performance Measures

2006-2007

- Make at least 100 presentations to a wide variety of audiences in a number of different Saskatchewan communities.
- Produce brochures on access and privacy issues for citizens.

2007-2008

- Ensure that education presentations have been completed in every department, every Crown corporation, every provincial board and agency, every school division, all urban and rural municipalities, every health region, and every university and college campus that have requested a presentation including at least 60 presentations to a wide variety of audiences in a number of different Saskatchewan communities.
- Ensure that 90% of citizen requests for summary advice receive a response within 72 hours.
- Produce brochures on access and privacy issues for citizens.

2008-2009

- Ensure that education presentations have been completed in every department, every Crown corporation, every provincial board and agency, every school division, all urban and rural municipalities, every health region, and every university and college campus that have requested a presentation.
- Ensure that 90% of citizen requests for summary advice receive a response within 72 hours.

Core Business 5: Public Education

Goal 12 — ***Support Saskatchewan 'Right to Know' Committee activities and projects***

What it means

Internationally, September 28 is recognized as 'Right to Know' Day. In Canada, the access to information community organized activities across Canada during the week of September 24-29, 2006 to recognize 'Right to Know' Week. It drew attention to the importance of the right of Canadians to access records of public bodies and the obligation of those public bodies to operate transparently.

The risk of failing to achieve this goal is likely to include the following:

- An excellent opportunity to bolster public awareness about the importance of access to information is lost.

Strategies

In 2006, a 'Right to Know' Saskatchewan committee was created with representatives of the Saskatchewan Institute of Public Policy, the Regina Public Library, the Canadian Taxpayer Association, the Privacy and Access Section of the Canadian Bar Association, Saskatchewan, as well as a number of other organizations. The Committee organized panel discussions in Regina and Saskatoon with speakers with experience as requesters, as public bodies responding to access requests and as members of the Information and Privacy Commissioner Office. In response to requests from the committee, the cities of Saskatoon, Regina and the Saskatchewan provincial government officially proclaimed the week of September 25, 2006 as 'Right to Know' Week. At a special event in Regina during the week, the Lieutenant-Governor participated in the program when the inaugural Chief Justice E.M. Culliton 'Right to Know' Award was presented to the City of Regina for its leadership in promoting greater transparency within its organization. There are plans to make this an annual event.

Key Performance Measures

Participate in the planning of future 'Right to Know' Week events and to assist the Saskatchewan 'Right to Know' Committee in organizing 'Right to Know' Weeks in 2007, 2008 and 2009.